

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Edward Komito,

Plaintiff,

v.

LexisNexis Risk Solutions Inc., *et al.*,

Defendants.

Civil Action No. 5:18-cv-02824-EGS

**DEFENDANTS' MEMORANDUM IN SUPPORT OF THEIR
EXPEDITED MOTION FOR EXTENSION OF TIME TO RESPOND
TO PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION**

Defendants Reed Elsevier, Inc., RELX Group LLC and LexisNexis Risk Solutions Inc. (collectively, "Defendants"), by and through their undersigned counsel, pursuant to Fed. R. Civ. P. 6(b)(1), respectfully request a two-week extension of the time to respond to Plaintiff's Motion for Preliminary Injunction.

Fed. R. Civ. P. 6(b)(1) governs motions for an extension of time, and provides, in pertinent part: "When an act may or must be done within a specified time, the court may, for good cause, extend the time: . . . (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires." Courts have described Rule 6(b)(1)'s "good cause" standard as "non-rigorous" and have noted that a request for an extension of time pursuant to the rule should normally be granted in the absence of bath faith on the party seeking relief or prejudice to the adverse party." *See Davis v. Ace Hardware Corporation*, Civ. A. No. 12-1185, 2014 WL 2990329, at *2 (D. Del. 2014); *Rachel v. Troutt*, 820 F.3d 390, 394 (10th Cir. 2016); *Ahanchian v. Xenon Pictures, Inc.*, 624 F.3d 1253, 1259 (9th Cir. 2010).

Here, good cause exists to grant the requested extension of time for Defendants to respond to Plaintiff's Motion for Preliminary Injunction. Plaintiff, Edward Komito, filed his Motion for Preliminary Injunction in the above captioned matter on July 30, 2018. (Dkt. No. 6.) Plaintiff served Defendants with a copy of the Motion for Preliminary Injunction on or about August 17, 2018, making Defendants' response due on or before August 31, 2018. The extension is requested prior to the deadline for Defendants to file their response to Plaintiff's Motion for Preliminary Injunction. The undersigned counsel recently was retained by Defendants and is reviewing the allegations of the Motion for Preliminary Injunction. The undersigned counsel requires additional time to review such allegations and to formulate a response.

On August 27, 2018, Defendants contacted Plaintiff, who is proceeding *pro se*, to ask for his consent to the proposed extension, but he declined. Despite Plaintiff's refusal, there is no evidence suggesting that Plaintiff will suffer any prejudice if Defendants' request for an extension of time is granted because: (1) Defendants are only requesting a two-week extension and such time period is minimal; and (2) no scheduling order has been issued and therefore the extension will not unduly delay this litigation.

WHEREFORE, for the reasons stated above, Defendants respectfully request that their deadline to respond to Plaintiff's Motion for Preliminary Injunction be extended through September 14, 2018.

Dated: August 27, 2018

Respectfully submitted,

HANGLEY ARONCHICK SEGAL PUDLIN
& SCHILLER

By: /s/ Sharon F. McKee

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